IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 1634 of 1998

Between:

Smt. P.Satya Kumari, W/o. P.S.R.K. Bhaghwan, Indian,
Swathi Aprts., Bhagyanagar, Kukutpally,
Hyderabad-72.

..... PETITIONER

AND

1 The A.P. Industrial Infrastructure Corporation Ltd., rep.by its
Vice Chariman & Managing Director,5-9-58/B,
Parishram Bhavan, Fatahmaidan Road, P.B.No. 506, Hyderabad.
2 The Zonal Manager, A.P.I.I.C.Ltd., Zonal Office,
Jeedimetla , Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus by declaring the action of the respondents in not allotting a Plot to the petitioner is illegal, arbitrary violative of principles of natural justice and also violative of Article 14 and 21 of the Constitution of India and consequently direct the respondents to allot a plot admeasuring 990 sq.mtrs. as per the application of the petitioner in Phase -III, A.P.I.I.C., Housing Colony, IDA Jeedimetla on lease-cum-sale basis.

Counsel for the Petitioner : Mr.V.AJAYAKUMAR

Counsel for the Respondents : Mr.P.RAMABHOOPAL REDDY

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned counsel for respondents.

The petitioner, who is an entrepreneur, stated to have made applications dated 11.2.1994, 7.10.1995, 1.11.1995 and 20.12.1997 to the respondents for allotment of a plot of 990 sq.mtrs. in Jeedimetla Phase-II, main road, for the purpose of constructing a shopping complex/super market along with necessary earnest money as a measure of self-employment, but the respondents did not consider the request of the petitioner. The grievance of the petitioner in this writ petition is that the second respondent vide proceedings 31.12.1997 allotted number of plots to various third parties in Phase-II of Jeedimetla on lease-cum-sale basis for various commercial purposes, but discriminated the petitioner though she was eligible and qualified for such allotment. Aggrieved by such discrimination, the petitioner filed the present writ petition.

The respondents have filed their counter affidavit contending that the lands in Phase-II, IDA, Jeedimetla were allotted to certain persons whose shops have been demolished under road widening scheme, as a rehabilitation scheme and the purpose of allotment of land in question to certain persons is entirely different from that of the petitioner, as such there cannot be any comparison between the persons allotted the lands and the petitioner.

Having regard to the averments stated in the counter affidavit,
I am of the view that the petitioner cannot equate herself with the persons allotted the lands by the respondents, whose lands were taken for road widening purpose.

The writ petition has no merit and is accordingly dismissed.

No costs.

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N.V.RAMANA, J

Date: 14.2.2005

DA

To

1 The Vice Chariman & Managing Director, A.P. Industrial Infrastructure

Corporation Ltd.,5-9-58/B, Parishram Bhavan, Fatehmaidan Road,
P.B.No. 506, Hyderabad.

2 The Zonal Manager, A.P.I.I.C.Ltd., Zonal Office,
Jeedimetla , Hyderabad.

3 Two CD copies.